

REMARKS

Prior to entry of this Amendment, claims 1-25 are pending in the Application. Herein, claims 1, 3-4, 13, and 21 are amended, and no claims have been cancelled or added. Therefore, upon entry of this amendment, claims 1-25 will remain pending in the Application. Allowance of the pending claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 102

In paragraphs 2-18 of the Office Action, the Examiner rejected claims 1-7, 9, 11, 13-17, and 21 under 35 U.S.C. § 102(b) as being anticipated by Bucknell et al. (U.S. Pat. Pub. No. 2001/0014603). In response, Applicant has amended independent claims 1, 13, and 21 to focus on the novel aspects of the present invention. Specifically, claim 1 has been amended to include the limitation of a status request message generator selectable coupled to the communication network. The configuration status request message generator generates status summary requests for transmission to the home node to determine the current configuration of the desktop manager. The reconfiguration message generator, however, generates a reconfiguration message regardless of whether a configuration status summary request message has been generated. In addition, in claim 1, has been amended to recite that the home-node reconfiguration message processor identifies changes in the reconfiguration message that are logically inconsistent. Independent claims 13 and 21 have been similarly amended. Support for these amendments may be found, for example, in the Application at paragraphs [0046] to [0051].

The cited prior art does not teach or suggest the invention as presently claimed in claims 1, 13, and 21. Bucknell describes a remote station software reconfiguration, but focuses primarily on communicating the time that will be required for the operation (*see, for example*, Bucknell, paragraphs [0006] to [0012]). After the new

software (or update) is transmitted, an error checking process is undertaken (paragraph [0029]), but note that this is a determination of whether the update was successfully transmitted, not a comparison to see if a prospective reconfiguration has inadvertently introduced logical inconsistencies (as is now claimed in the present Application). Finally, no detail is given as to how the Bucknell primary station PS checks to see if the secondary station SS is using the updated software, but it implies some kind of test involving the preliminary use of its own, corresponding updated software (*see* Bucknell paragraph [0027] – when both are updated, normal communications may resume).

Note that this highlights the dissimilarity between the present invention and Bucknell. The present invention is directed to a system, method, and apparatus for reconfiguring a desktop manager, while Bucknell is focused on updating software so that the two stations are (basically) operating on the same version. That is why Bucknell does not teach or suggest a status request message generator to optionally request a configuration status summary, nor does it teach or suggest a logical-consistency check relating to the reconfiguration message for reconfiguring the desktop manager. Bucknell is simply directed at another process (though it does use the word “reconfiguration” for this other process).

The dependent claims 2-7, 9, 11, and 14-17 depend directly or indirectly from a respective one of claims 1 or 13 and are distinguishable from the prior art by virtue of the amendments described above.

In light of these amendments and remarks, Applicant respectfully suggests that this ground for rejection has been overcome.

Claim Rejections – 35 U.S.C. § 103

In paragraphs 20-26 of the Office Action, the Examiner rejected claims 8, 10, 18, 22, 24, and 25 under 35 U.S.C. § 103 as being unpatentable over Bucknell in view of Friend et al. (U.S. Pat. No. 7,243,163). In response Applicant states that the dependent claims 8, 10, 18, 22, 24, and 25 depend directly or indirectly from a respective one of claims 1, 13, or 21 and are distinguishable from the prior art by virtue of the amendments described above.

Without traversing or acquiescing in the Examiner's characterization or combination, Applicant notes that Friend is cited in the Office Action only for use of a password (or encryption key) and the operation of synchronizing databases (including some service features). It does not, moreover, teach or suggest the features of the amended independent claims missing from Bucknell as described above. (*See, for example*, Friend at col.2, lines 24-31; col. 4, lines 23-58; and col. 19, line 41 to col. 21, line 13.) In light of these amendments and remarks, Applicant respectfully suggests that this ground for rejection has also been overcome.

In paragraphs 27-31 of the Office Action, the Examiner rejected claims 12, 19, 20, and 23 under 35 U.S.C. § 103 as being unpatentable over Bucknell in view of Zirnstein, Jr. (U.S. Pat. No. 7,127,491 B2). In response, Applicant states that the dependent claims 12, 19, 20, and 23 depend directly or indirectly from a respective one of claims 1, 13, or 21 and are distinguishable from the prior art by virtue of the amendments described above.

Without traversing or acquiescing in the Examiner's characterization or combination, Applicant notes that Zirnstein is cited in the Office Action only for use of a Web site. It does not, moreover, teach or suggest the features of the amended independent claims missing from Bucknell as described above. (*See, for example*,

Zirnstein at Fig. 6 and col. 9, line 17 – col. 10, line 33; *also* col. 2, lines 23-38, 53-64; and col. 3, lines 30-40.) In light of these amendments and remarks, Applicant respectfully suggests that this ground for rejection has also been overcome.

Conclusion

In light of the foregoing, the pending claims are believed to now be in condition for allowance. Accordingly, examination and allowance of pending claims 1-25 is respectfully requested.

Respectfully submitted,

/Robert H. Kelly/

Robert H. Kelly
Registration No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com